

Table: Comparison of Paid Family Leave Plans in Seven States

JFO/jm, LC/djl; May 9, 2019

		Ongoing programs				Enacted, not yet effective			Proposed	Proposed	Proposed
Status	Enacted	California	New Jersey	Rhode Island	New York	Washington	Washington, DC	Massachusetts	Vermont (H.107 as passed House)	Vermont (H.107 as rec. by Sen. Econ. Dev.)	S.151 (Governor's Plan)
	Effective	2002	2008	2013	2016	2017	2017	2018	----	----	----
		2004	2009 (2020)†	2014	2018	Jan. 2020	July 2020	Jan. 2021	On Passage	On Passage	July 1, 2019
									Tax begins April 1, 2020; Ben's begin Oct	Tax begins April 1, 2020; Ben's begin Oct 1, 2020	Coverage begins July 1, 2020
Reasons and Duration (wks)	Family care	6	6 (12)†¹	4	10 in 2019,	12	6	12	8	6	6
	Birth, adoption, foster	6	6 (12)‡	4	and 12 in 2021	12 (14 preg)	8	12	12	12	6
	Own disability (year established TDI*)	52 (1946)	26 (1948)	30 (1942)	26 (1949)	12	2	20	8		6
	Military Exigencies and Care							26			6
Maximum, if any				Max combined=30		Max 16 wks combined; (18 if ser ill from preg)	6 family care leave; 8 parental leave; 2 own health	Max Combined=26	Max 12 wks in 12 mos	Max 12 wks in calendar year	Max 6 wks in 12 months
Definition of Family Member	Child	X	X	X	X	X	X	X	X	X	X
	Parent	X	X	X	X	X	X	X	X	X	X
	Spouse	X	X	X	X	X	X	X	X	X	X
	Domestic partner	X	X, civ unn partner	X	X	X	X	X	X	X	
	Grandparent	X	X‡	X	X	X	X	X	X	X	
	Grandchild	X	X‡		X	X		X	X		
	Sibling	X	X‡			X	X	X		X	
Parent-in-law	X	X‡			X		X	X	X		
Eligibility		\$300 in wages in base period	>= 20 weeks covered in NJ with >= \$168/wk	Covered employment in RI of at least \$11,520 in base year	Family care: With current employer at least 26 consecutive weeks	Worked 820 hours during qualifying period (4 qtrs)	Worked at least 50% time with DC employer	Earned at least \$4,700 during last 4 calendar quarters	Earned wages in a least 6 mos. during last 4 calendar quarters	Earned wages in at least 2 of last 4 calendar quarters	12 mos. of work while enrolled in Plan††
			OR earned at least \$8,400 in base year	OR earned at least \$1,920 in a quarter and \$3,840 or more in base year	Own care: With current employer at least 4 consecutive weeks		AND in covered employment for at least 52 weeks	AND at least 30 times wkly UI benefit for which individual is eligible	AND earned at least (minimum wage) x 1,040hrs in past 12 mos.	AND earned at least (minimum wage) x 1,040hrs in past 12 mos.	
Funding	Employer pays		0.1% to 0.75% on 1st \$34,400		Pays remainder of disability insurance, rates determined by insurer	0.145% taxable wages (year 1)****	0.62%	0.315%†	optional	0.10% on first \$132,900 of ee's wages‡‡	optional†††
	Employee pays	1.0% on 1st \$118,371	0.25% on 1st \$34,400²	1.1% on 1st \$69,300	0.5% up to \$0.60/wk + family care (0.153% up to \$107.97/yr)	0.255% taxable wgs (year 1)****		0.315%†	0.55% on first \$132,900 of ee's wages‡‡	0.10% on first \$132,900 of ee's wages‡‡	Unknown (est. \$207-\$250 annually for avg State employee)
Benefit amount	Per week	60% or 70% own wages**	66% own wages³	4.62% of qtrly wages (about 60% of avg wkly wages)	Fam care: 55% avg wkly wage, not to exceed 55% of state AWW; Own disability: 50% own weekly wage, max \$170/wk***	90% of AWW if earn <= 50% of statewide AWW; if more, 90% up to 50% statewide AWW, 50% of excess	If < 150% of DC min wg * 40, 90%; If >150% of DC min wg * 40, 90% of 150% DC min wg * 40 + 50% of own excess wkly wg	80% of employee's wgs up to 50% of MA AWW + 50% of employee's wgs above MA AWW	90% of employee's wgs up to VT weekly liveable wage + 50% of employee's wgs above VT weekly liveable wage	90% of employee's wgs up to 55% VT AWW + 55% of employee's wgs above 55% VT AWW	60% of employee's AWW
	Maximum	\$1,252/wk	\$650/wk⁴	\$852/wk	\$746.41	\$1,000/wk^	\$1,000/wk	\$850/wk	\$1,334/wk	\$964/wk	\$1,533.46/wk

Table, continued		California	New Jersey	Rhode Island	New York	Washington	Washington, DC	Massachusetts	Vermont (proposed)	Vermont (proposed)	Vermont (proposed)
Employer type	Private	All	All if UE Comp	All	Most	All	All in UE Comp	All	All (May also comply with program through Alternative Plan)	All (May also comply with program through Alternative Plan)	Opt in
	Public	Some	All if UE Comp	Some	Some	All	Not	State + local govt. may opt in	All (May also comply through Alternative Plan)	All (May also comply through Alternative Plan)	All State, Opt in for other public employers
	Self-employed	Opt in	All if UE Comp		Opt in	Opt in	Opt in	Opt in			Opt in^^
Waiting period		None	7 days (paid if receive benefits for >= 3 wks) ⁵	None; must be out of work for 7 days	Family care: none; Out of work 7 consec. days	1 week, but none for bonding care	1 week, only once per year	1 week	None	1 week for family care	None

*TDI is Temporary Disability Insurance for short-term disability

CA beginning in 2018: If quarterly earnings >= \$929 but < 1/3 state average quarterly wage, **70% of worker's weekly wage; if quarterly earnings >= 1/3 of state average quarterly wage, the weekly benefit rate will be the maximum of 23.3% of state average weekly wage or **60%** of the worker's weekly wage; if quarterly earnings <\$929, weekly benefit = \$50; the maximum benefit is adjusted annually based on the statewide average weekly wage

***New York benefit rate rises to **55%** of the worker's weekly wage up to 55% of the state AWW; in 2020, **60%**; and in 2021, **67%** (increases subject to delay); for disability benefit, if employee earns < \$20 per week, the benefit is their full average weekly wage

**** In year 1, the initial premium for Washington is set as .4% of wages. The medical leave premium is 2/3 of that rate and the family leave premium is 1/3.

The employer is responsible for 55% of the medical leave premium and the employee is responsible for 45% of the medical leave premium and all of the family leave premium.

† From 7/1/19-12/31/21 the aggregate contribution rate will be 0.63% of wages. Employees are responsible for up to for up to 100% of the family leave premium and up to 40% of the medical leave premium.

Because medical leave is used more than family leave and is available for a longer period, it is estimated that the costs will be equally split between employers and employees.

The proposed supplemental budget (H.4758) includes language that would direct the Department of Family and Medical Leave to set annual premiums for family leave and medical leave based on anticipated costs.

†† According to Governor's staff, 12-month waiting period is intended for State employees and Governor's plan would permit employers to set eligibility requirements for their employees. This is not reflected in S.151 or H.396.

††† Estimated premiums are presently unknown pending responses to the State's RFI. Premium rates will depend on an employers' size and the percentage of their workforce that is covered.

‡ Effective July 1, 2020 pursuant to A.3975, which was enacted on 2/19/19.

‡‡ Contribution rate is 0.20% from January 1, 2020 through June 30, 2020.

¹Beginning July 1, 2020, includes leave to care for a victim of domestic and sexual violence.

²Taxable wage base is increasing to 107 times State AWW, or \$131,400 in 2019 dollars, on July 1, 2020.

³ Increasing to 85% of own wages on July 1, 2020.

⁴ Increasing to 70% of State AWW, or \$860/wk in 2019 dollars, on July 1, 2020.

⁵ Beginning July 1, 2020, there will be no waiting period for Family Leave Insurance benefits.

^ WA will adjust annually the maximum weekly benefit to 90% of the statewide AWW

^^ Includes individuals whose employer does not participate in Plan.

For more detail, see <http://www.nationalpartnership.org/research-library/work-family/paid-leave/state-paid-family-leave-laws.pdf>

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